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STATEMENT

Yucca Mountain EIS -- Jamming Square Pegs Down the Wrong Round Hole to Save the Nuclear Industry

by David A. Kraft, Director, NEIS
at the U.S. Dept. of Energy Public Hearings on the Yucca Mt. EIS, Chicago, IL
February 1, 2000

Good Afternoon. NEIS was founded in 1981 to act as Illinois' nuclear power watchdog organization. And not a moment too soon, for, in 1982 Congress enacted the High-Level Nuclear Waste Policy Act, which has brought us all here today. So, you see, we are no strangers to this issue.

Our oral comments today focus on the process and policy that has led us here. Our technical comments will be posted electronically.

While we are encouraged to have this opportunity to present our views, we are simultaneously dismayed that DOE had refused to hold meetings in Chicago and Cleveland on one of the most populous shipping route corridors until forced to do so on December 28th by Rep. Dennis Kucinich of Ohio. We hope that this does not demonstrate DOE's actual level of commitment to the process.

After closely watching and participating in the national debate on this issue for nearly two decades, we are reminded of the old story of the ancient King Canute of Denmark, who was so impatient to begin his invasion of England, that he tried to command the waves holding his ships back to recede, and with predictable results. Laughable as poor Canute might seem, we have watched the U.S. Dept. of Energy (DOE) use this very same method attempting to create the nation's first high-level radioactive waste (HLRW) perpetual storage (there is no "disposal") facility at the proposed Yucca Mt., Nevada site.

Over the years we have watched as:

- Congress winnowed down the number of sites to be researched from nine to six to three, and then finally to one, all for political reasons, not scientific ones;
- Congress redefined the "scientific method" at the Yucca Mt. site characterization, by stating that Yucca Mt. WILL work as the Nation's first HLRW repository, UNLESS DOE could find good reasons why Yucca Mt. should NOT be used;
- DOE failed to follow even its own procedures requiring Yucca Mt.'s dismissal, as disqualifying evidence mounted that should have ended characterization;
- the Nuclear Regulatory Commission (NRC) -- a rogue agency accountable to no one, except

the bidding of the nuclear power industry -- attempted to usurp the Environmental Protection Agency's authority on setting radiation exposure limits for the public at Yucca Mt. when it became evident that Yucca could not meet those accorded the rest of the U.S. public;

- year after year the nuclear power industry's allies in -- as Mark Twain put it -- "the best Congress that money can buy" and DOE have attempted to ram the very square peg of Yucca's many geologic flaws down the round hole of reason, by systematically changing and weakening standards so that the site at Yucca Mt. could never be ruled a failure;
- and now finally, here in Chicago, with the last minute, perfunctory appearance of a "public hearing," the DOE comes before the Illinois public, who they intentionally intended to avoid, and to whom they had repeatedly denied requests for formal hearings -- trying to convince us they actually value our opinions and concerns!

We have seen this process deteriorate -- mutate, perhaps? -- from one which was supposed to find the best and most geologically sensible site in which to store for a minimum of 10,000 years some of the most hazardous materials humanity has even produced; to one which, like Canute's situation, attempts to linguistically cure all the known geologic problems with Yucca Mt., by making the standards fit Yucca Mt!

Contemplate our society -- if you dare -- if we were to extend this same kind of methodology to other social problems -- like drunk driving, drug abuse, murder, storing "hot zone" microbes like Ebola virus, etc.

It has become a disingenuous process, which has lost its credibility and integrity; which has long since given up any vestige of integrity; which has seemingly abandoned true scientific investigation "to know" for one "to show;" and now DOE can make the hollow claim that, "we followed all the rules, and gave them their hearing."

When the Illinois Department of Nuclear Safety tried unsuccessfully for four years to make a flawed, unworkable site at Martinsville, IL, acceptable for the storage of "low-level" radioactive wastes, NEIS was there. And we stopped them; but only after IDNS wasted \$90 million, seven years, and lost its credibility with the public to this day.

Now, DOE attempts the same failed strategy -- "If you spend enough of their money, they'll have to accept it even if it doesn't work, 'cause we've deliberately closed off all other options."

We will continue to do all we can to stop the site at Yucca Mt. from ever receiving deadly nuclear wastes which it has already demonstrated it cannot handle. We have no control over DOE's already-lost credibility. Perhaps they can get NRC -- like King Canute -- to "command" its instant restoration!